

Message Text

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ACTION DLOS-06

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C O N F I D E N T I A L LIMA 11567

FOR THE ACTING SECRETARY

E.O. 11652: GDS
TAGS: PLOS, PE
SUBJECT: STRATEGY FOR INTERNATIONAL CONSULTATIONS ON
LAW OF THE SEA

REF: STATE 298001

SUMMARY: THE GENERAL CONFIGURATION OF THE GOP'S LOS
POLICY PREDATES THE COUP OF OCTOBER 1968 WHICH BROUGHT THE
PRESENT NATIONALISTIC LEFT-OF-CENTER MILITARY REGIME TO
POWER. PERU'S DEFENSE OF A 200-MILE TERRITORIAL SEA IS
BASED ON A BY NOW, HISTORIC NATIONAL CONSENSUS SHARED WITH
OTHER WEST COAST OF SOUTH AMERICA COUNTRIES AND HAS DEEP PSYCHOLOGICAL

ROOTS. PERUVIAN POLICY ON EXPLORATION OF DEEP SEA BED RESOURCES
IS OF MORE RECENT ORIGIN, AN OUTGROWTH OF PERU'S INVOLVEMENT
IN THE GROUP OF 77. IN CONVERSATIONS WITH FONOFF AND AN
INFLUENTIAL LOS ADVISOR EMBASSY OFFICERS HAVE GLEANED
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THE FOLLOWING INFORMATION IN RESPONSE TO REFTEL. END
SUMMARY.

1. BARRING UNFORESEEN CHANGES IN THE PERUVIAN FOREIGN
MINISTRY AND FOREIGN SERVICE, THE FOLLOWING ARE THE
NAMES TITLES OF THOSE WHO SHAPE THE GOP'S LOS

POSITIONS:

-- AMBASSADOR JUAN MIGUEL BAKULA, PERUVIAN AMBASSADOR TO PARIS, HEAD OF PERUVIAN LOS DELEGATION TO NEW YORK AUGUST 1976 SESSION, INVOLVED IN LOS MATTERS SINCE 1973:
--AMBASSADOR ALFONSO ARIAS SCHREIBER, PERU'S PERMANENT REPRESENTATIVE TO INTERNATIONAL ORGANIZATIONS IN GENEVA, SUBORDINATE TO BAKULA IN THE NEW YORK CONFERENCE BUT THE MORE KNOWLEDGEABLE OF THE TWO:
--AMBASSADOR ANTONIO BELAUNDE MOREYRA, FOREIGN MINISTRY ASESOR JURIDICO Y PARA ASUNTOS DEL MAR:
--FIRST SECRETARY ALVARO DE SOTO POLAR, ENCARGADO DE LA DIRECCION DE SOBERANIA MARITIMA Y AEREA, VERY KNOWLEDGEABLE, WITH LONG INVOLVEMENT IN LOS MATTERS, BOTH IN NEW YORK AND IN LIMA:
-- DR. ANDRES ARAMBURU MENCHACA, RESPECTED INTERNATIONAL JURIST AND ADVISOR TO THE FOREIGN MINISTER ON LOS MATTERS:
--DR. ANTONIO LANDA CANNON, DIRECTOR INSTITUTO DEL MAR DEL PERU.

2. WE HAVE HEARD RUMORS THAT FOREIGN MINISTER DE LA PUENTE HAS SUBMITTED HIS RESIGNATION TO PRESEDENT MORALES BERMUDEZ (SEE LIMA 11427) BUT THERE HAS BEEN NO CONFIRMATION. IT IS POSSIBLE THAT DURING THE ANTICIPATED CABINET CHANGES IN JANUARY DE LA PUENTE WILL STEP DOWN, BUT, GIVEN THE HIGHLY TECHNICAL NATURE OF THE SUBJECT MATTER, EVEN TOP-LEVEL CHANGES IN THE FOREIGN MINISTRY ARE NOT LIKELY TO AFFECT BASIC LOS POLICY.

3. LOS DECISIONS, INCLUDING POLICY FORMULATION AND BROAD NEGOTIATING GUIDELINES, ARE MADE AT THE VERY HIGHEST LEVEL
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WITHIN THE PERUVIAN MILITARY GOVERNMENT. EXPERTISE IS FAIRLY EVENLY DIVIDED BETWEEN PERU'S TOP LOS DELEGATION LEADERS (ARIAS AND BAKULA) AND GOP PERSONNEL LOCATED IN LIMA. THESE INDIVIDUALS KEEP IN CLOSE CONTACT, AND JOIN FORCES WHEN NECESSARY. VIRTUALLY ALL OF THE GOP'S LOS EXPERTISE IS THUS CONCENTRATED IN ITS DELEGATION TO HIGH-LEVEL INTERNATIONAL CONFERENCES SUCH AS THE MAY 1977 MEETING IN NEW YORK.

4. THE DECISION-MAKING PROCESS IN LOS MATTERS DOES INVOLVE INDIVIDUALS AND GROUPS OUTSIDE OF THE FOREIGN MINISTRY AND THE EXECUTIVE. A LOOSELY-KNIT ADVISORY GROUP, OF WHICH DR. ANDRES ARAMBURU IS PERHAPS THE LEADING MEMBER, COUNSELS THE FOREIGN MINISTER FROM TIME TO TIME. THE GROUPS STRUCTURE AND FUNCTION, HOWEVER, ARE NOT RIGIDLY DEFINED. IN ADDITION, THE MINISTRIES OF FISHERIES, MINES AND ENERGY AND NAVY PARTICIPATE IN THE FORMULATION AND IMPLEMENTATION OF LOS POLICY, ESPECIALLY ON THE EVE OF AND DURING INTERNATIONAL

MEETINGS. THE ONLY ACADEMIC-TYPE INSTITUTION WHICH HAS A ROLE IN LOS DECISION MAKING IS THE GOP-SPONSORED INSTITUTO DEL MAR DEL PERU, WHOSE DIRECTOR REPRESENTED THE FISHERIES MINISTRY IN THE AUGUST CONFERENCE IN NEW YORK. PERUVIAN UNIVERSITIES, PRESENTLY QUIESCENT BECAUSE OF THE STATE OF NATIONAL EMERGENCY DECLARED IN JUNE, ARE NOT LIKELY TO ASPIRE TO ANY MEANINGFUL ROLE IN LOS POLICY FORMULATION, SINCE THE GENERAL OUTLINES OF PERUVIAN LOS POLICY ARE ALMOST UNIVERSALLY ACCEPTED, ALBEIT ONLY SUPERFICIALLY UNDERSTOOD, BY THE PERUVIAN POPULATION. BUSINESS GROUPS, POLITICAL PARTIES AND LABOR ORGANIZATIONS PLAY NO VISIBLE DIRECT OR INDIRECT ROLE IN LOS POLICY FORMULATION.

5. ACCORDING TO FONOFF DIRECTOR OF OFFICE OF MARITIME SOVEREIGNTY DE SOTO, ASSUMING THAT U.S. LOS POLICY AND STRATEGY DOES NOT CHANGE FUNDAMENTALLY WITH THE TRANSITION TO THE CARTER ADMINISTRATION, AND ASSUMING ALSO THAT THE MEMBERSHIP OF THE U.S. DELEGATION REMAINS CONFIDENTIAL

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LARGELY THE SAME, IT WOULD PROBABLY NOT BE USEFUL FOR U.S. LOS EXPERTS TO VISIT LIMA TO CONSULT WITH THEIR PERUVIAN COUNTERPARTS. RATHER, IF THE INFORMAL EVENSEN GROUP MEETS IN FEBRUARY IN GENEVA, WHICH WE NOW UNDERSTAND IS VERY LIKELY, WE RECOMMEND THAT OUR LOS POLICY-MAKERS AND EXPERTS MEET WITH THE PRINCIPAL PERUVIAN POLICY-MAKERS AND IMPLEMENTERS THERE.

6. THERE ARE UNILATERAL CONSIDERATIONS WHICH WOULD MATERIALLY AFFECT LOS CONSULTATIONS WITH PERUVIAN EXPERTS. DEAN

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